

MINUTES
INDIANA STATE BOARD OF DENTAL EXAMINERS

APRIL 9, 2010

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Miller called the meeting to order at 8:00 a.m. in the Professional Licensing Agency Conference Room W064, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 15-5-1.1-6(c).

Board Members Present:

Matthew Miller, D.D.S., President
Jill Burns, D.D.S., Vice President
Steven Hollar, D.D.S., Secretary
Charles Heape, D.D.S.
Theodore Rokita, D.D.S.
Laverne Robison Whitmore, L.D.H., B.S.
Clance LaTurner, Consumer Member
Gary Haller, D.D.S.
Philip Catey, D.D.S.
Richard T. Newton, D.D.S.

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Heather Hollcraft, Assistant Board Director, Professional Licensing Agency
Jim Schmidt, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF THE AGENDA AS AMENDED

A motion was made and seconded to adopt the agenda, as amended.

HOLLAR/LaTURNER

Motion carried 9-0-0

*Dr. Rokita was not present for the vote

III. ADOPTION OF MINUTES FROM THE FEBRUARY 5, 2010 MEETING

Minutes from the February 5, 2010 meeting will be adopted at the May 7, 2010 meeting.

IV. APPEARANCE

A. APPLICATIONS

- 1. Smile Care, LLC**
Elliot P. Schlang, D.D.S.
Mobile Dental Facility

Dr. Schlang appeared before the Board with counsel, as requested, regarding his application for a Mobile Dental Facility permit. The Board asked Dr. Schlang where records are kept, who patients can contact for follow-up care and general policies. Dr. Schlang stated each year they go out to dentist in the community and ask if they will give dental patients a dental home once they have been seen by Smile Care. After the initial examination they child is sent home with a report card indicating whether the child is fine or if they need further dental care and includes contact information for local dentists. There are 3 copies of this report card; one goes to the school nurse, one is given to the parent and one to the home office in Michigan. A follow-up call is then made a week later to help schedule an appointment. They are contacted again a month later to help set the child up with a dentist. This program begins in the fall and goes back for a second visit six (6) months later and the same process is completed once again. Permanent records are kept in Michigan. A form is sent to the referring dentist and upon request they send x-rays and Medicaid billing information and reimburse the dentist for the office visit so the dentist gets paid. The school will distribute flyers in the fall to students and asks the school to have someone meet them at the school. The school is not responsible for any part of this process. When asked how they compile their list of referral dentists, they explained that a mailing is sent out asking if they would like them to refer patients to them after they have examined them and provided sealants. A letter goes directly to the dentist and the letter is signed by the dentist. Dr. Miller asked if he would be surprised if he told him that he had spoken with three dentists on his referral list that stated they did not sign up with his program yet there were signed forms from these dentists. Dr. Schlang explained to the Board that he only does an oral examination and prophylaxis. When asked what his guidelines were for placing sealants, he stated he does not seal primary teeth, only permanent teeth. He also stated he takes two charts of dentist each month to verify dental work. Dr. Rokita also spoke with two dentists that were on the referral list but had not signed a permission form to be placed on the referral list. Dr. Schlang stated there is no way they were placed on the list without authorization. Dr. Miller requested a complete referral list and signed copy of forms. Dr. Schlang states they are trying to find a dental home for these children. When asked if that is the only form they received, he indicated yes. Ms. Whitmore explained he may need more information on the forms to explain why they are actually receiving this form. The Board also pointed out the 800 number is in Michigan and is answered by non-dental professionals. He explained that dental emergencies are listed on a criteria sheet so that the person answering the phone can determine whether it is an emergency or not.

Board action: A motion was made and seconded to table the mobile dental facility permit application until later in the day.

HOLLAR/CATEY
Motion carried 10-0-0

Dr. Schlang and Ms. Lewis returned as requested by the Board. Dr. Schlang gave to the Board a copy of the referral flyer that included the back side as requested by Dr. Burns, explaining who Smile Care is, what they do, and what they are requesting. Ms. Lewis provided the Board with a list of dentists that were asked to become referral dentists. Of the 143 asked only two are missing. Ms. Lewis explained they are trying to help the patients and the patient's families find a dental home. She went on to explain that the turn around on x-

rays is done as soon as the parent signs a release of the x-rays. The parent is sent the form, they sign it and send it back to Smile Care then they x-ray is sent to the dentists. Dr. Schlang assures the Board that the x-rays are accessible to the referral dentist. He also stated if they refer a child to a dentist and the dentist requests x-rays, they will fax a form to the parent, have the parent sign the form and fax it back to Dr. Schlang and then the x-rays are released. Dr. Schlang told the Board they do not reimburse Medicaid; however, they reimburse the fee to the dentist and can provide proof of reimbursement upon request. The Board is concerned with mobile dental facility units doing examinations or sealants and then not being available for follow-up care. They are also concerned with the benefits being taken up by examination and sealants then nothing being left for follow-up care. They are also questioning the fact he does not offer any kind of emergency care and feels it is all co-oped out to emergency rooms, other dentists or social service agencies. Dr. Schlang states he has never had complaints from referral dentists and does not think there could be any emergencies from what treatment they provide as they do not provide any restorative services, only preventative. Dr. Schlang explained to the Board that he prefers electric hand pieces instead of air hand pieces if or when he does perform restorative services. He takes the equipment into school, uses mobile sterilization system and waste is put into the biohazard container and taken out with them. X-rays can be scanned and a copy sent to the referral dentist. X-rays are mailed once the release is signed. The Board is concerned it can take a couple of weeks for that process. Dr. Schlang told the Board he would be happy to reimburse the dentist if a 2nd set of x-rays are required due to timeliness which now brings up the concern of overexposure to radiation. Dr. Schlang stated he could use a no-mad x-ray machine but the Board explained they are not admissible in Indiana. Dr. Schlang then told the Board he will go to digital x-rays immediately in the State of Indiana if that is what the Board wishes. Ms. Lewis explained to the Board that they can possibly see 320 students per day with this mobile dental facility. Dr. Schlang stated the Michigan office holds not only Indiana records, but would also have Michigan, Pennsylvania and Massachusetts records as well. He would like to be able to say he is doing some good in the community with this mobile dental facility. The Board suggests an information packet with contact information, release form, referral form having only a signature line for the dentist, and if more than one dentist in the office would like to participate they would need to sign their own form. Dr. Hollar read to the applicant a complaint about a mobile dental van doing a cleaning and examination on a child with a heart condition after the parent had said they could not check the child. He explained that this potentially could have been fatal. Dr. Schlang stated he sends a form home with the student that has a release, payment information, and medical history section and said they do not see children without parental consent. The Board is concerned with the child being responsible for getting the form to and from school. They also asked how the schools are chosen to participate in which he explained they are picked by the percentage of children on the federally reduced lunch program. He stressed to the Board that he is adamant he is going to give quality care to the underprivileged children in these communities. The Board does feel Dr. Schlang is making a great effort in what he is doing for a mobile dental facility and is pleased with his work.

Board action: A motion was made and seconded to table the decision on Smile Care, LLC's mobile dental facility permit based upon Dr. Schlang taking the Board's suggestions regarding the updated forms, digital x-rays, dentist signature only on referral form, reimbursement of examinations and x-ray procedures of his company, stating the dentist must re-join every year, he certify mail x-rays to referral dentist and configures an up to date information packet for referral dentist.

BURNS/ROKITA
Motion carried 10-0-0

2. **Iulia Francis**

Ms. Francis appeared with counsel before the Board, as requested, regarding her application for dental hygiene licensure. Ms. Francis is unable to obtain a social security number. The Board has referred to the statute and rules that requires a social security number to be eligible for licensure in the State of Indiana. Ms. Francis stated she took the NERBS in 2008 and she may not be able to get a social security number for at least seven years. Her employer is willing to sponsor her on a visa but she cannot get a social security number to get a license for employment. Ms. Francis indicated to the Board that she applied for a green card seven years ago. Her immigration attorney has said another five years before the first step of green card is completed and that does not entitle her to a social security number. She stated she must apply for a labor certificate, then her green card, and then apply for citizenship. She applied for citizenship in 2003. Legal counsel states the two reasons behind the necessity for a security number is for taxes and the National Practitioner Data Bank (NPDB) for reporting purposes. He states that the IRS accepts a tax identification number for tax reporting but a social security number is needed for licensure for NPDB reporting according to the Federal law. Ms. Francis' legal counsel stated there is a part of the federal law that states the NPDB will accept a tax identification number for reporting purposes arguing that the tax identification number takes care of both entities. The Board feels this would be a precedent case if they allow licensure based on this argument and Indiana's statute and rules clearly states a social security number is required for licensure. The Board stated they must follow the statute and rules that are currently in effect. Marty Allain, Chief Legal Counsel to IPLA, explained that using a tax I.D. number will muddy the waters on reporting if she does not obtain a social security number. She would then have two identifiers out there with states reporting under separate numbers. The Board is charged with protecting the public and cannot do so if she happens to report different tax I.D. numbers to different states. The Board maintains the statute and rules clearly state applicants must have a social security number to be licensed in Indiana. Dr. Burns stated Ms. Francis may be a good person, but if the Board allows this then they will have to allow all persons with a tax I.D. number and no social security number a license based upon their qualifications. Mr. Allain explained to the Board that there are other agencies that use the social security number to place holds on licenses.

Board action: A motion was made and seconded to deny Ms. Francis' dental hygiene license based on that she does not hold a social security number as required by law.

HOLLAR/BURNS
Motion carried 9-0-1

*Ms. Whitmore abstained

B. PROBATIONARY

1. Michael Edward Bajza, D.D.S., License No. 12009652A

Administrative Cause No. 2005 DB 0011

Dr. Bajza appeared before the Board, as requested regarding his ongoing probationary status. Dr. Bajza indicated that things were going well. As of this date he has not met with Dr. Browning in person but has been corresponding by email. He is working with Dr. Browning to construct a personalized ethics course. He stated he cancelled his February meeting due to travel issues by both parties. The Board advised Dr. Bajza that he needs to be proactive in meeting with Dr. Browning. Dr. Bajza is not employed at this time and has no plans for the immediate future. The Board stated that Dr. Bajza will be required to appear for the May 7, 2010 meeting.

2. Christopher Leonard, D.D.S., License No. 12009363A

Administrative Cause No. 2005 DB 0002

Dr. Leonard appeared before the Board, as requested regarding his ongoing probationary status. Dr. Leonard indicated he is still working for Aspen Dental and there have been no changes in his medications. He stated his wife is not in his office at anytime. Dr. Leonard reported that Dr. Jerry Hickman, his worksite monitor, did a patient record audit a couple of weeks ago for February and stated that the report would be mailed to the Board soon. He believes Dr. Hickman will continue to monitor him at Aspen Dental as long as they allow him to come in and evaluate the records. The Board advised Dr. Leonard that any changes regarding his worksite monitor would need to be approved by Board. The Board is pleased with his progress. He stated things are going well at Aspen Dental and he loves working there. Ms. Vaught asked Dr. Leonard about his previous patient's records. He explained that he is unable to obtain his old charts because he has been locked him out of the building due to the bankruptcy. He is working with his attorney in order to obtain the patient records. The Board stated they are not comfortable with the landlord having access to his patient records or releasing them to the patient. Dr. Leonard stated he has a good working relationship with the landlord. The Board advised Dr. Leonard to get legal counsel on getting his patient records.

3. Edward T. Mamaril, D.D.S., License No. 12008594A

Administrative Cause No. 2008 ISDB 0001

Dr. Mamaril appeared before the Board, as requested, regarding his ongoing probationary status. Dr. Mamaril asked the Board about pharmacology continuing education and whether online courses through Homestead Schools are acceptable. He stated one course is in drugs in dentistry and the other is on emergency drug use. Each course is four

hours. He did receive a mailer from Homestead Schools that states the courses are certified by the California state dental board, PACE, AGD and CERP. He said he has never done an online course but feels it is very specific. The Board questioned Dr. Mamaril regarding his frequently prescribing 24 Lortab. Dr. Mamaril explained the patient may have a different tolerance for that prescription and may take from four to eight tablets per day and would only last three days at the most at the highest dose. He feels this is common practice based on prescribing on a Thursday and he may not be accessible to the patient until Monday. The Board is concerned with his consistent prescribing pattern. They feel there is no thought behind the acuteness behind the patient's pain and he is not prescribing accordingly. The Board is concerned about Dr. Mamaril routinely prescribing the 24 Lortab. The Board asked about a specific patient but stated he will need to review his file and report back to the Board. The Board asked where he kept his prescription pads and he stated they are kept in his private office. When they showed Dr. Mamaril a INSPECT Report, he stated he did not recognize some of the names on the report. On January 5, 2010 he wrote a prescription for 24 Lortab. He then wrote a prescription for Percocet on January 7, 2010. Dr. Mamaril explained that she came into the office as a new patient and with the extent of the decay, they discussed full dentures. The patient came in on January 5, 2010 where he prescribed the standard antibiotic and pain medications. The patient had reported pain with the swelling and high anxiety due to a bad dental experience. On January 7, 2010 the patient called in saying the antibiotics and pain medication were not working at that level but the patient did not want the tooth removed that was causing the issue. Dr. Mamaril had also prescribed Halcion in anticipation of removing the tooth. On February 3, 2010 the patient failed to show for her appointment. Dr. Mamaril did not see the patient any time between January 7 and February 3, 2010. The Board once again showed their concern with his prescribing habits and the amount of medications out on the street. Dr. Mamaril stated he is not prescribing all these medications. The Board advised Dr. Mamaril become a member of INSPECT. They pointed out his initial problem was he was not calling in his own prescriptions and no internal control, now based upon his reports he may be over-prescribing for his patients. Dr. Mamaril stated he is clear on what the Board feels and that he will go back to his prescription log and records to review the prescriptions he does not recognize on the INSPECT report. Dr. Mamaril stated his personal log is exact to what he has written or called in. The Board requested he appear on May 7, 2010 he appear in May and bring his controlled substance log with him.

4. Philip Ray Travis, D.D.S., License No. 12011406A
Administrative Cause No. 2010 ISDB 0003

Dr. Travis did not appear before the Board, as requested, regarding his ongoing probationary status. He had written a letter to the Board stating he is not working in Indiana and does not feel he should have to make personal appearances as outlined in his probationary order. The Board requested that Dr. Travis be rescheduled to appear on May 7, 2010.

5. Trevor Treasure, D.D.S., License No. 12010719A

Administrative Cause No. 2007 ISDB 0002

Dr. Treasure appeared before the Board, as requested, regarding his ongoing probationary status. He stated things are going excellent. He is currently up to date on all reports. Dr. Treasure has not been writing prescriptions. He has applied for reinstatement of his Medicaid number in Indiana but that has not been approved as of this date. Dr. Treasure indicated things are going well at school. The Board has been informed the students really like him and they are doing well in the courses he teaches. The Board is very pleased with his progress. Dr. Treasure next appearance will be June 4, 2010.

6. Theresa M. Watkins, D.D.S., License No. 12010271A

Administrative Cause No. 2006 DB 0003

Dr. Watkins appeared before the Board, as requested, regarding her ongoing probationary status. She stated she is doing well. There has been no change in her medications. Ms. Vaught informed Dr. Watkins that she has not received worksite monitor reports for December 2009, January and February 2010. Dr. Watkins explained that her Probationary Order only required the worksite monitor reports for the first three (3) years. The Board reviewed her probationary order and it stated that she may apply for modification of the Order after three (3) years in order to submit the reports on a quarterly basis. In order to modify the Order she would have to request a hearing. The Board is pleased with her progress. Ms. Vaught informed the Board she has applied for a controlled substance registration. The Board asked if she was ready to have a controlled substance registration in which she replied "yes".

Board action: A motion was made and seconded to approve Dr. Watkins' application for a controlled substance registration.

HOLLAR/LaTURNER

Motion carried 10-0-0

C. RENEWAL

1. DENTIST

a. Raymond Arthur Burris, D.D.S., License No. 12006355A

Dr. Burris has rescheduled his appearance for the May 7, 2010 meeting.

b. Harry Dai, D.D.S., License No. 12009098A

Dr. Dai appeared before the Board, as requested, regarding the positive response on his renewal application. Dr. Dai originally had a

Tax Protest that was placed on his license on November 7, 2009. Dr. Dai license expired on March 1, 2010 due to the fact that he could not renew his license. On March 9, 2010 the Tax Protest was cleared. Dr. Dai was requested to appear because he did not answer "yes" to the question, "Have you had a malpractice judgment against you or settle a malpractice action? A malpractice action was reported to the Board by the National Practitioner Data Bank which stated that Dr. Dai had settled a malpractice action on January 20, 2009. Dr. Dai explained that he has been practicing for 30 years and this was the first time he has ever had a malpractice action. He thought the statement asked if he had a judgment against you and thought a settlement was not a judgment so he did not have to answer yes. The Board read the question in full to Dr. Dai and he said he just did not feel he needed to answer the question positively. Dr. Dai explained that he perforated the tooth near the gum line. He stated he normally takes x-rays and triple checks his pins prior to cutting. He said he has seen this patient several times but they never complained of pain or discomfort. The patient then went to another doctor for treatment. Dr. Dai said he has placed a lot of pins in the past but since this he has found alternate ways to restore teeth. When the Board asked about the tax hold, he explained to them for some reason he owed the State of Indiana \$64.00. That has since been paid. He was not aware of the tax lien until he applied for renewal of his dental renewal and was notified by Ms. Vaught of the tax protest. Dr. Dai gave copies of his certificates of the continuing education he has completed for the renewal period. He stated he personally completed his online renewal.

Board action: A motion was made and seconded to grant the renewal of Dr. Dai's dental license.

HOLLAR/BURNS
Motion carried 10-0-0

c. Armel J. Gallanosa, D.D.S., License No. 12009962A

Dr. Gallanosa appeared before the Board, as requested, due to a positive response on his renewal application. Dr. Gallanosa responded "yes" to the question: "Have you had a malpractice judgment against you or settled a malpractice action?" He explained that he has had two malpractice settlements as recently as 2009. In the first malpractice action, the patient complained of post operative complications with tooth #17. Dr. Gallanosa stated the patient had not taken a required prescription and did not return to his office for two weeks. This was settled for approximately \$32,000.00. In the second action, Dr. Gallanosa left a needle tip in her left jaw when extracting a tooth. This case was settled for approximately \$12,000.00. Dr. Gallanosa provided the requested continuing education certificates to the Board. The Board asked if he has read and understands the statutes and rules and he replied yes.

Board action: A motion was made and seconded to grant the renewal of Dr. Gallanosa's dental license.

BURNS/CATEY
Motion carried 10-0-0

d. Stephen Scott Hall, D.D.S., License No. 12009719A

Dr. Hall appeared before the Board, as requested, with his attorney Susan Ziel, regarding a positive response on his renewal application. Dr. Hall explained that he did not answer positive question #1 that asks "Since you last renewed, has any Health Profession license, certificate, registration or permit you hold or have held been disciplined or are formal charges pending?" but answered yes to #4 which asks "Since you last renewed, have you had a malpractice judgment against you or settled a malpractice action?". Responding positive to question #4 was an error, because he has not had any malpractice actions. Dr. Hall stated he has had entered into a settlement agreement with DEA. In May of 2008 he was subject to a random audit of his controlled substance records. DEA alleged that he failed to maintain accurate and complete records of controlled substances dispensed to seven (7) of his patients. He has ceased dispensing from his office and no longer has the medication on site. Dr. Hall instituted a compliance policy that has been shared with the Board. Dr. Miller pointed out his office policy. He explained that even though it is his DEA and CSR number on the paperwork, he can have others sign off, but he is ultimately responsible for prescriptions prescribed on those numbers. Dr. Hall stated that the DEA had an issue with hydrocodone, diazepam and halcion he had prescribed. He stated those medications were never diverted to someone other than for a dental treatment, that he gave hydrocodone to his mother for jaw pain, but she is a patient of record and he did examine her prior to prescribing the medication.

Board action: A motion was made and seconded to grant the renewal of Dr. Hall's dental license.

HOLLAR/CATEY
Motion carried 10-0-0

e. Mathew B. Kavanaugh, D.D.S., License No. 12010783A

Dr. Kavanaugh appeared before the Board, as requested, regarding a positive response on his renewal application. Dr. Kavanaugh answered "yes" to question 3 on the renewal that asks "Have you been convicted of or pled guilty to a violation of a federal or state law or are criminal charges pending?" but failed to follow up with a written explanation as required by law. Ms. Vaught requested Dr. Kavanaugh to appear and bring a written statement and proof of his continuing education. Dr. Kavanaugh pled guilty in September of 2009 of operating a vehicle while intoxicated. He had a BAC of .09 in the field and .11 at the station. Dr. Kavanaugh attended an AAID Destructive Decision Panel and was evaluated by Rich Gustafson, a substance abuse counselor, who determined he did not have an alcohol problem. He also paid a fine and his driver's license was suspended. This was his first arrest and he has had no other issues with alcohol or drugs. When asked what he has learned from this, he stated to be very careful when out and to not drink and drive. Dr. Kavanaugh did not have the requested continuing education documentation.

Board action: A motion was made and seconded to renew Dr. Kavanaugh's dental license.

BURNS/LaTURNER

After further discussion, and with the fact that Dr. Kavanaugh did not have the requested continuing education certificates, Dr. Burns moved to withdraw the original motion.

Board action: A motion was made and seconded to table Dr. Kavanaugh's dental license renewal on the contingency of appearing on May 7, 2010 with the required continuing education documentation.

BURNS/HALLER

Motion carried 10-0-0

f. Robert Todd Mabry, D.D.S., License No. 12008592A

Dr. Mabry was requested to appear because he did not answer yes to the question, "Have you had a malpractice judgment against you or settle a malpractice action? A malpractice action was reported to the Board by the National Practitioner Data Bank which stated he settled a malpractice action on June 12, 2008. Dr. Mabry explained that he did not feel he committed malpractice. Dr. Mabry has been in practice over 20 years as an endodontist and stated he did not recall the malpractice claim at the time of the renewal. This was based on a case that was referred to him in which he completed the endodontic in January 2008. He explained that the patient failed to return to the dentist for proper follow up and was using the tooth. This resulted in the tooth decaying and the patient blamed Dr. Mabry for this occurrence. The patient still has the tooth. Dr. Mabry has a policy in his practice if the patient loses the tooth within two (2) years of treatment they will refund one half of the monies paid. The patient said the tooth had been pulled and requested a refund, but upon checking with the dentist, the tooth had not been pulled. Dr. Mabry said patients are required to sign a form that states they must have follow-up care with a general dentist as well as verbally telling this to patients, or the tooth may crack or fracture. Dr. Mabry told the Board the insurance company settled without his knowledge. This was with Cincinnati Insurance. He stated he was going to cancel his insurance with them but never got around to it, but now that it has come up again, he will be changing carriers.

Board action: A motion was made and seconded to grant the renewal of Dr. Mabry's dental license.

HOLLAR/NEWTON

Motion carried 10-0-0

g. Thien Chi Pham, D.D.S., License No. 12010795A

Dr. Pham has withdrawn his renewal.

h. John Martin Roper, III, D.D.S., License No. 12008170A

Dr. Roper appeared before the Board, as requested, regarding a positive response on his renewal application. He responded yes to the question: "Have you been convicted of or pled guilty to a violation of a federal or state law or are criminal charges pending?" He explained that in August of 2008 he was pulled over and charged with driving under the influence. Dr. Roper attended alcohol classes along with AA. He has since had his driver's license reinstated and has completed all court requirements. Dr. Roper has completed all required continuing education. Dr. Roper states this has not affected his practice, but has affected his personal life with the constant reminders always being there. He stated he did not fight the case at all, pleading guilty immediately and has never been in trouble before. Dr. Roper is in compliance with the continuing education requirement.

Board action: A motion was made and seconded to grant the renewal of Dr. Roper's dental license.

BURNS/HALLER

Motion carried 9-0-0

*Ms. LaTurner was not present for the vote

i. Fadi S. Saloum, D.D.S., License No. 12009040A

Dr. Saloum appeared before the Board, as requested, regarding a positive response on his renewal application. Dr. Saloum answered positive to the question: "Since you last renewed, have you been denied staff membership or privileges in any hospital or health care facility or, have any staff membership or privileges been revoked, suspended or subjected to any restriction, probation or other type of discipline or limitations?" when he should have answered positive to question 1 that asks "Since your last renewal, have any Health Profession license, certificate, registration or permit you hold or have held been disciplined or are formal charges pending?". This is due to the suspension issued regarding noncompliance with the 2008 continuing education audit. Dr. Saloum stated he had called the IPLA office to ask about the INSPECT program and was advised at that time he was not allowed to practice dentistry due to his license being suspended. He stated he asked his staff about notices and they said they never received anything. The notice was sent certified mail and was signed for. He told the Board he had instructed his staff to not sign for anything if they did not recognize the sender. Dr. Saloum stated the second notice did not get to him once it was delivered to his office. Upon receiving this information, he immediately came to the IPLA office with proof of his continuing education and a check for the civil penalty. The Board asked when he stopped practicing upon finding out his license was suspended, he stated immediately. Dr. Saloum submitted copies of his continuing education certificates for the 2010 renewal period. Dr. Saloum stated he now sorts his own mail.

Board action: A motion was made and seconded to grant the renewal of Dr. Saloum's dental license.

HOLLAR/LaTURNER

Motion carried 10-0-0

j. Emery John Spisak, Jr., D.D.S., License No. 12006332A

Dr. Spisak was rescheduled for May 7, 2010.

**k. Tu M. Tran, D.D.S., License No. 12010799A
David M. Vieth, D.D.S., License No. 12010958A**

Dr. Tran and Dr. Vieth appeared before the Board, as requested, with counsel, David Josey, regarding a positive response on their dental license renewal application. They both are currently employed by Kool Smiles in the State of Georgia and Indiana. The disciplinary action was based on a patient complaint in 2007 in the state of Massachusetts. The Department of Health came into the office and initiated an audit finding deficiencies in patient records and sanitization. They took a no finding action. They placed their licenses on probation for one (1) year with terms and conditions. They have completed all Board requirements regarding that probation and the probation expired on June 5, 2009. Dr. Vieth stated they have redone all compliance and that they audit monthly and quarterly. He assures the Board that they are serious about protecting their patients. Dr. Vieth had his continuing education but did not complete the Indiana ethics and jurisprudence until after March 1, 2010. He states their legal counsel advised them to sign renewal even though they had not completed the ethics continuing education. The Board asked how many dentists they employ in Indiana. He said he guessed about twenty (20) but they are responsible for their own licensing. The Board is concerned that he does not understand the statutes and rules. Dr. Vieth told the Board he still practices in Indiana as well as has having oversight responsibilities that oversees many offices. He explained he does the administrative side as well as practices dentistry at Kool Smiles. Dr. Vieth has a group of pediatric dentists in their group and a regional dentist oversees the dentists in the practices. When asked who is responsible for all the dentists at their locations, he stated Dr. Tran and himself. The Board showed concerned that if they are supervising the dentists in their practices, that it is also their responsibility to make sure the dentists they are supervising are in compliance with licensure rules. Ms. Whitmore pointed out that dental hygienists must be supervised and asked if they are delegating direct supervision to the dentist in that specific office. He stated in a general sense; they are responsible for all the dentists and dental hygienists in all of their offices but said the dentists in each office are ultimately responsible for their own patients.

Dr. Tran practices full time in Georgia at Kool Smiles. He stated he takes full responsibility in his lack of continuing education when he signed his renewal stating he had completed all continuing education, including the Indiana ethics and jurisprudence course.

Board action: A motion was made and seconded to grant Dr. Vieth's and Dr. Tran's dental license renewal. Based upon the noncompliance of completion of continuing education within the renewal period, they were both assessed a \$1000.00 civil penalty.

BURNS/HOLLAR
Motion carried 10-0-0

Board action: A motion was made and seconded that Kool Smiles submit a list, within thirty (30) days, of dentists who are currently practicing for Kool

Smiles in the state of Indiana. Each dentist will then be audited to determine whether they are in compliance with the continuing education requirements.

HOLLAR/LaTURNER
Motion carried 10-0-0

l. Eric Lamont Treadwell, D.D.S., License No. 12009983A

Dr. Treadwell appeared before the Board, as requested, regarding his failure to answer positive to the question regarding a malpractice action on his renewal application. Dr. Treadwell explained this was an oversight on his part as the case was settled in 2008. He stated he had performed a root canal through a crown and perforated the tooth in 2003. Dr. Treadwell did not hear anything from the patient regarding this until 2008. During the procedure, it went from perforation to taking the patient to the emergency room due to such intense pain. He had his assistant take them to the emergency room as a precaution as this happened during treatment. Dr. Treadwell said the patient was anesthetized. The patient sued Dr. Treadwell for \$14,000.00 for her and her husband having to miss work. Dr. Treadwell stated his attorney recommended the settlement. This is Dr. Treadwell's first malpractice settlement. The Board is concerned that he did not report nor ask our office for assistance with this renewal.

Board action: A motion was made and seconded to grant the renewal of Dr. Treadwell's dental license.

CATEY/LaTURNER
Motion carried 9-1-0
*Dr. Hollar opposed

Board action: After the vote, it was noted he had not proven his continuing education as requested. A motion was made and seconded to set Dr. Treadwell's renewal aside until he has proven completion of the required continuing education. His license renewal was tabled until the May 7, 2010 meeting.

BURNS/LaTURNER
Motion carried 10-0-0

n. Joseph P. Walker, D.D.S., License No. 12007908A

Dr. Walker appeared before the Board, as requested, regarding a positive response on his renewal application. Dr. Walker answered "yes" to question #3 on the renewal that asks "Since you last renewed, have you been convicted of or pled guilty to a violation of a federal or state law or are criminal charges pending?" Dr. Walker explained that there has not been a conviction or a guilty plea entered, but charges have been filed. He explained that in November 2009; someone came up to his home and banged on his door. The first time it happened, he did not acknowledge it. The second time they knocked so hard it messed up the locks. Dr. Walker proceeded to chase them down with a gun and found out it was children. Dr. Walker stated he wanted charges filed against them, but was told they had nowhere to hold the children. On November 12, 2009, Dr. Walker was charged with pointing a handgun and not having a gun permit in his

possession which are both felonies. Dr. Walker stated the children were between the ages of 15 and 17 years old. The Board is concerned that he is upset and angry. Dr. Walker stated he is angry over this incident. Dr. Walker assured the Board that he does not carry a gun on his person, nor does he have one at his practice. He only has guns in his home for protection and uses them for target practice. Dr. Walker is currently working with a group called Friar Services for homebound patients. If he is convicted of a felony he will no longer be able to participate in this program. Dr. Walker has also had a malpractice suit in the past, but not since his last renewal. Dr. Walker has a hearing date regarding his criminal proceeding set for May 24, 2010.

Board action: A motion was made and seconded to grant Dr. Walker's dental license renewal.

HOLLAR/HALLER
Motion carried 10-0-0

o. Julie Marie Collins, D.D.S., License No. 12010020A

Dr. Collins appeared before the Board, as requested, regarding the reinstatement of her dental license which expired on March 1, 2004. She has been practicing dentistry since that time, but not in Indiana. Dr. Collins was in the military and retired from the service last year. She currently holds an Illinois license. She completed a residency program at Riley Hospital for Children in pediatric dentistry from 1996-1998 and was required to obtain a license in Indiana to complete the residency program. Dr. Collins let the Indiana license lapse when she entered the military. Dr. Collins will be moving to Evansville, Indiana and will be working with St. Mary's Mobile Dental Facility. Dr. Collins has met all continuing education requirements.

Board action: A motion was made and seconded to grant the reinstatement of Dr. Collin's dental license.

HOLLAR/BURNS
Motion carried 10-0-0

2. Dental Hygienists

a. Kelly Shannon Fiegle, L.D.H., License No. 13003306A

Ms. Fiegle appeared before the Board, as requested, regarding her dental hygiene renewal application. She struck out the statement on her renewal that reads "I understand the Indiana State Board of Dentistry statute and rules. She explained to the Board that she was unable to access the statute and rules online at the time she applied for the renewal of her license. Since that time she has read and stated she understands the statutes and rules. Ms. Fiegle completed and submitted certificates of continuing education for the 2010 renewal period.

Board action: A motion was made and seconded to grant Ms. Fiegle's dental hygiene license renewal.

LaTURNER/HALLER

Motion carried 9-0-0

*Dr. Hollar was not present for the vote

b. Mary A. Huckstead, L.D.H., License No. 13003585A

Ms. Huckstead appeared before the Board, as requested, regarding a positive response on her dental hygiene renewal application. Ms. Huckstead answered "yes" to question 3 that asks, "Since you last renewed, have you been convicted of or pled guilty to a violation of a federal or state law or are criminal charges pending?" She explained that in April of 2009 she was convicted of driving while intoxicated. She is currently on probation until June 2, 2010 and in compliance with her probation. She had a BAC of .12. Ms. Huckstead told the Board she has never been in trouble and has not been in trouble since. She was required to complete 20 hours of alcohol counseling which she has completed and attendance of AA meetings. Ms. Huckstead completed and submitted certificates of continuing education for the 2010 renewal period.

Board action: A motion was made and seconded to grant Ms. Huckstead's dental hygiene license renewal.

BURNS/NEWTON

Motion carried 10-0-0

c. Donna J. Petro, L.D.H., License No. 13002646A

Ms. Petro appeared before the Board, as requested, regarding a positive response on her dental hygiene renewal application. Ms. Petro answered "yes" to question 3 that asks "Since you last renewed, have you been convicted of or pled guilty to a violation of a federal or state law or are criminal charges pending?" On October 17, 2007, Ms. Ramsby was charged with operating a vehicle while intoxicated but was not arrested until February 2008. Her court appearance was in August of 2008 when she was convicted of a misdemeanor and was required to complete one (1) year of probation and thirty (30) hours of community service. Ms. Petro stated that she checked herself into a rehabilitation facility at Clarian Hospital for six (6) weeks immediately following the accident. She currently attends AA meetings and has been sober for 900 days. Ms. Petro assures the Board it has never affected her practice as dental hygienist and that she has been practicing for 24 years. Ms. Petro worked at Riley Hospital for Children for 10 years and is now at a Zionsville pediatric dental clinic. Ms. Petro completed and submitted certificates of continuing education for the 2010 renewal period.

Board action: A motion was made and seconded to grant Ms. Petro's dental hygiene license renewal.

HALLER/ROKITA

Motion carried 10-0-0

d. Lauren Christine Ramsby, L.D.H., License No. 13006440A

Ms. Ramsby appeared before the Board, as requested, regarding a positive response on her dental hygiene renewal application. Ms. Ramsby answered

"yes" to question 3 that ask "Since you last renewed, have you been convicted or pled guilty to a violation of a federal or state law or are criminal charges pending?" Ms Ramsby explained that on New Year's Eve in 2010 she was pulled over and charged with operating a vehicle while intoxicated. She has completed a five hours alcohol class and the court ordered an interlock device installed on her vehicle that cannot be removed until August 2010. Ms. Ramsby told the Board that she does not drink anymore and is involved with her church. This is Ms. Ramsby's first renewal period so she is not required to show proof of continuing education

Board action: A motion was made and seconded to grant Ms. Ramsby's dental hygiene license renewal.

BURNS/LaTURNER
Motion carried 10-0-0

e. Lisa Marie Agresta, L.D.H., License No. 13004759A

Ms. Agresta appeared before the Board, as requested, regarding the reinstatement of her dental hygiene license which expired on March 1, 2008. She explained to the Board that she has been practicing all this time on an expired license. Ms. Agresta told the Board she became aware that her license expired in January 2010 and continued to practice a couple of weeks after she was given the information on how to reinstate her license. Ms. Agresta informed her dentist in January that her license had expired in 2008 but did not tell him immediately when she found out. Ms. Agresta stated the dentist was unhappy and placed her on a leave of absence immediately. Ms. Agresta completed all of the required continuing education for the 2008 and 2010 renewal period.

Board action: After discussion, a motion was made to reinstate Ms. Agresta's dental hygiene license on the condition that she voluntary consents to complete community service in good faith.

Keady/Motion failed for lack of a second.

Board action: A motion was made and seconded to reinstate Ms. Agresta's dental hygiene license on indefinite probation with the following terms and conditions:

1. Ms. Agresta's license to practice dental hygiene is reinstated on INDEFINITE PROBATION. She may not petition for withdrawal of the probation for one year.
2. Ms. Agresta's practice of dental hygiene shall be governed by the following TERMS AND CONDITIONS:
 - a) Within one year, she shall perform forty (40) hours of community service in health care related activities.
 - b) She shall comply with the statutes and rules governing the practice of dental hygiene.
3. The failure of Ms. Agresta to comply with the terms of her probation may subject her to a show cause hearing and the possible imposition of further sanctions.

BURNS/NEWTON

Motion carried 10-0-0

Upon further discussion of Ms. Agresta's appearance, the Board requested that he employer, Dr. John Jansen needs to be made aware of the outcome of her Ms. Agresta's appearance.

Board action: A motion was made and seconded to send Dr. Jansen a letter outlining the Board's action. .

HOLLAR/BURNS
Motion carried 10-0-0

f. Michelle Lee Hayden, L.D.H., License No. 13003905A

Ms. Hayden appeared before the Board, as requested, regarding the reinstatement of her dental hygiene license which expired on March 1, 2008. Ms. Hayden stated she became aware that her license was expired on February 28, 2010 and has not worked since that time. Ms. Hayden has completed all required continuing education for the 2008 and 2010 renewal period. She stated she has worked for the same dental office for fifteen (15) years.

Board action: A motion was made and seconded to reinstate Ms. Haydent's dental hygiene license.

BURNS/HOLLAR
Motion carried 9-0-0
*Dr. Heape was not present for the vote

g. Naomi Lynn Novoa, L.D.H., License No. 13003509A

Ms. Novoa appeared before the Board, as requested, regarding the reinstatement of her dental hygiene license which expired on March 1, 2008. Ms. Novoa explained that she was not aware that her license expired until the last week of February 2010. She assured the Board that she has not been working since that time. She informed her employing dentist of the expired license and he gave her a letter of suspension pending the reinstatement of her license. Ms. Novoa explained that she has never been before the Board before and offered to fax a copy of the suspension letter upon the Board's request. Ms. Novoa has completed all required continuing education for the 2008 and 2010 renewal period.

Board action: A motion was made and seconded to reinstate Ms. Noyoa's dental hygiene license upon receipt of a copy of the letter of suspension.

HOLLAR/LaTURNER
Motion carried 9-0-0
*Dr. Heape was not present for the vote

V. ADMINISTRATIVE HEARINGS

- 1. State of Indiana vs. Roschelle Major-Banks, D.D.S., License No. 12009164A**
Administrative Cause No. 2009 ISDB 0009

Re: Complaint

Parties and Counsel Present:

Respondent was not present nor represented by counsel
Mark Mader, Deputy Attorney General for the State of Indiana
Carrie Roemer, Court Reporter

Participating Board Members:

Dr. Miller, D.D.S., President (Hearing Officer)
Dr. Hollar, D.D.S.
Dr. Burns, D.D.S.
Dr. Heape, D.D.S.
Ms. LaTurner, Consumer Member
Ms. Whitmore, L.D.H., B.S.
Dr. Rokita, D.D.S.
Dr. Haller, D.D.S.
Dr. Newton, D.D.S.
Dr. Dr. Catey, D.D.S.

Case Summary: This hearing in this matter was continued until June 4, 2010.

2. State of Indiana vs. James Cahillane, D.D.S., License No. 12007586A

Administrative Cause No. 2004 ISDB 0006
Re: Petition for the Withdrawal of Probation

Parties and Counsel Present:

Petitioner was present without representation by counsel
Terry Richmond, Deputy Attorney General for the State of Indiana
David Fleischhacker, Deputy Attorney General for the State of Indiana
Sherry Rutledge, Court Reporter

Participating Board Members:

Dr. Miller, D.D.S., President (Hearing Officer)
Dr. Hollar, D.D.S.
Dr. Burns, D.D.S.
Dr. Heape, D.D.S.
Ms. LaTurner, Consumer Member
Ms. Whitmore, L.D.H., B.S.
Dr. Rokita, D.D.S.
Dr. Haller, D.D.S.
Dr. Newton, D.D.S.
Dr. Catey, D.D.S.

Case Summary: Dr. Cahillane submitted a request to the Board for the withdrawal of his probation on his dental license. On February 3, 2005, the Board placed his license on indefinite probation with terms and conditions. Dr. Cahillane has established that the deficiency that required disciplinary action has been remedied. Candace Backer, Well-Being Clinical Coordinator of the Indiana Dental Association, reported that he successfully completed his five year Treatment and After Care Contract. Dr. Cahillane stated has been asked on

numerous occasions to speak with other dentists in Indianapolis and Chicago regarding his situation. The State indicated they have no objection to his request for withdrawal of probation.

Board action: After discussion, a motion was made and seconded to grant Dr. Cahillane's petition for withdrawal of probation.

HEAPE/WHITMORE

Motion carried 10-0-0

3. State of Indiana vs. Clifford Salk, D.D.S., License No. 12006043A

Administrative Cause No. 2010 ISDB 0002

Re: Complaint

Parties and Counsel Present:

Respondent was not present nor represented by counsel

Terry Richmond, Deputy Attorney General for the State of Indiana

David Fleischhacker, Deputy Attorney General for the State of Indiana

Sherry Rutledge, Court Reporter

Participating Board Members:

Dr. Miller, D.D.S., President (Hearing Officer)

Dr. Hollar, D.D.S.

Dr. Burns, D.D.S.

Dr. Heape, D.D.S.

Ms. LaTurner, Consumer Member

Ms. Whitmore, L.D.H., B.S.

Dr. Rokita, D.D.S.

Dr. Haller, D.D.S.

Dr. Newton, D.D.S.

Dr. Catey, D.D.S.

Case Summary: Respondent's counsel presented the State with a settlement agreement. The State did not receive the agreement until late yesterday. The State asks the Board to continue this hearing until June 4, 2010.

4. State of Indiana vs. Raymond A. Burris, D.D.S., License No. 12006355A

Administrative Cause No. 2009 ISDB 0010

Re: Complaint

Parties and Counsel Present:

Petitioner was present without counsel

Terry Richmond, Deputy Attorney General for the State of Indiana

David Fleischhacker, Deputy Attorney General for the State of Indiana

Sherry Rutledge, Court Reporter

Participating Board Members:

Dr. Miller, D.D.S., President (Hearing Officer)

Dr. Hollar, D.D.S.

Dr. Burns, D.D.S.
Dr. Heape, D.D.S.
Ms. LaTurner, Consumer Member
Ms. Whitmore, L.D.H., B.S.
Dr. Rokita, D.D.S.
Dr. Haller, D.D.S.
Dr. Newton, D.D.S.
Dr. Catey, D.D.S.

Case Summary: Respondent requested a continuance until May 7, 2010 for his personal appearance for renewal and administrative hearing. The Board granted his request.

5. Sameera Hussain, D.M.D. vs. State of Indiana

Re: Complaint

Parties and Counsel Present:

Petitioner was present and represented by Kendra Connover
Terry Richmond, Deputy Attorney General for the State of Indiana
David Fleischhacker, Deputy Attorney General for the State of Indiana
Sherry Rutledge, Court Reporter

Participating Board Members:

Dr. Miller, D.D.S., President (Hearing Officer)
Dr. Hollar, D.D.S.
Dr. Burns, D.D.S.
Dr. Heape, D.D.S.
Ms. LaTurner, Consumer Member
Ms. Whitmore, L.D.H., B.S.
Dr. Rokita, D.D.S.
Dr. Haller, D.D.S.
Dr. Newton, D.D.S.
Dr. Catey, D.D.S.

Case Summary: Dr. Hussain's application for licensure by endorsement was denied by the Board on February 9, 2010. She petitioned for review of the Board's denial of her application for a license to practice dentistry in Indiana. Dr. Hussain is licensed in other states and is seeking licensure in Indiana by endorsement. Dr. Hussain stated that in the last three years she has not performed the duties of a clinician in the traditional sense. She indicated that part of her role in the several practices she owns is as a clinical instructor. For approximately fifteen to twenty hours a week she said she is engaged in the training of both new and current dentists interacting with dentists and patients. The details of this fifteen to twenty hour period are somewhat unclear with some of it, diagnosis, being "clinical patient contact" but mostly it is not such contact. Therefore, she does not have an average of at least twenty hours per week in clinical patient contact for two years of the three years before she applied. Ind. Code § 25-14-1-16(b) provides for the issuance of licenses to practice dentistry for individuals licensed in other states or Canadian provinces. Ind. Code § 25-14-1-16(b)(2) requires that the applicant "has practiced dentistry for

at least two (2) of the three (3) years preceding the date of application." By rule, the Board has implemented the statute by defining the "practice of dentistry" in the context of this statute. 828 IAC 1-3-2(b) states: "Practice of dentistry" means that the applicant has actively engaged in clinical patient contact for at least an average of twenty (20) hours per week for two (2) years. A maximum of one (1) year of the two (2) year requirement may have been in postdoctoral training in a program approved by the Board. Dr. Hussain's work does not meet the requirements of this rule to qualify as the practice of dentistry.

Board action: A motion was made and seconded to deny Dr. Hussain's application for dental licensure.

HOLLAR/CATEY
Motion carried 10-0-0

VI. NOTICE OF PROPOSED DEFAULT

There were no notices of proposed default before the Board.

VII. OLD/NEW BUSINESS

There was no old or new business to discuss before the Board.

VIII. DISCUSSION

A. Utilization of INSPECT by Licensing Boards

The Board discussed the utilization of the INSPECT by practitioners and licensing boards.

IX. APPLICATION REVIEW

A. Examination

There were no applications by examination to review.

B. Endorsement

1. David S. Kilgore, D.D.S.

Dr. Kilgore's application for dental licensure by endorsement was reviewed. Dr. Kilgore is a 1989 graduate of Ohio State University and is licensed in the states of Ohio and Pennsylvania. He has taken and passed Part I and II of the National Boards and Ohio state constructed examination. Dr. Kilgore responded positive to question #1 "Has disciplinary action ever been taken regarding any health license, certificate, registration or permit that you hold or have held?" and question #7 "Have you ever had a malpractice judgment against you or settled

any malpractice action?”. The Ohio Dental Board took the following disciplinary actions against Dr. Kilgore:

On August 31, 1989, Dr. Kilgore was suspended for thirty (30) days. Required to complete 20 hours of continuing education (CE) in diagnosis and treatment planning of orthognathic surgery cases. If he desires to continue the practice of orthodontics as a general practitioner, he is required to complete at least 20 hour of CE in the field of orthodontics, with emphasis on treatment planning. Failure to do so within 12 months will result in a suspension of his license until he completes the required CE. Placed on probation with terms and conditions. If not compliant within 30 days license will be suspended.

On May 31, 1994, Dr. Kilgore was suspended for 90 days and placed on probation for 5 years. Required to complete 20 hours of CE in ethics and jurisprudence.

On December 5, 1995, Dr. Kilgore was suspended until December 1, 1996. Required to complete 20 hours of CE as ordered by the Board in the order of May 3, 1994.

Dr. Kilgore had two (2) malpractice actions, the first was in 1987 which was settled for \$25,000 and the second was in 1989 and was settled for \$32,500.

Board action: A motion was made and seconded to deny Dr. Kilgore’s application for licensure by endorsement based upon the disciplinary action taken by the Ohio Dental Board and the malpractice actions.

BURNS/CATEY
Motion carried 10-0-0

2. Kanthasamy K. Ragunathan, D.D.S.

1. Dr. Ragunathan’s application for dental licensure by endorsement was reviewed. Dr. Ragunathan is a 1989 graduate of Case Western Reserve University and is currently license in the state of Ohio. He has taken and passed Part I and II of the National Boards and the North East Regional Board of Regional Dental Examiners in 1989. Dr. Ragunathan did not answer positive on his application to question 7 on the application that asks “Have you ever had a malpractice judgment against you or settled any malpractice action?” Upon notifying him of the information reported by the National Practitioner Data Bank, he responded. Dr. Ragunathan explained that he did not realize the action was reportable. In 1992 he worked for Sears Dental and completed a crown on a patient. The patient complained and he offered restitution or replacement. The patient said no and insurance paid out the refund. He stated he regrets not being given the choice and insurance settling the claim. This matter was settled for \$1,400.00.

Board action: A motion was made and seconded to grant Dr. Ragunathan’s application for dental licensure by endorsement upon successful completion of the Indiana jurisprudence examination.

ROKITA/NEWTON
Motion carried 10-0-0

3. Kevin John Welch, D.D.S.

Dr. Welch's application for dental licensure by endorsement was reviewed. Dr. Welch is a 1994 graduate of the University of Southern California and is licensed in the state of California. He has taken and passed taken Part I and II of the National Boards and completed a California state constructed examination. Dr. Welch responded positive to question 7 on the application that asks "Have you ever had a malpractice judgment against you or settled any malpractice action?" In June of 1995 he saw a patient to extract tooth #30 due to an infection. Dr. Welch did not extract the tooth. The patient went to the emergency room where they extracted the tooth. Dr. Welch stated the patient never took the prescribed antibiotics prior to the appointment with him for the tooth extraction and he was advised by his attorney to settle the case. The case was settled for \$3,500.00.

Board action: A motion was made and seconded to grant Dr. Welch's application for dental licensure upon successful completion of the Indiana jurisprudence examination.

CATEY/WHITMORE
Motion carried 10-0-0

C. Anesthesia and Sedation Permits

There were no anesthesia permits to review.

D. Dental Intern Permit

There were no dental intern permits to review.

E. Mobile Dental Facility

There were no mobile dental facility applications to review.

F. Instructors License

There were no instructor's license applications to review.

G. Professional Corporations

There were no professional corporation applications to review.

X. RENEWALS

There were no renewal applications to review.

XI. PROBATIONARY/CONDITIONAL LICENSE REPORT

A. Tammy Bacon, L.D.H.

Dr. Haller reviewed Ms. Bacon's probationary file. Her reports of attendance at AA Meetings and Counseling from Alpha Resource for February and March 2010 were reviewed and accepted. Ms. Bacon is scheduled for her next probationary appearance on June 4, 2010.

B. Penelope Lynn Dunlap, D.D.S.

Dr. Haller reviewed Dr. Dunlap's probationary file. Her reports from Joseph W. Hake, D.D.S., Monitor, for February and March 2010 were reviewed and accepted.

C. Marci L. Huth, L.D.H.

Dr. Haller reviewed Ms. Huth's probationary file. Ms. Huth is currently not employed as a dental hygienist. She reported that her address had not changed, and the medication she is currently taking. Her report was reviewed and accepted. Ms. Huth has requested a hearing for lift of probation. This matter has been rescheduled for June 4, 2010.

Board action: A motion was made and seconded to approve the probationary reports for Ms. Bacon, Dr. Dunlap, Ms. Huth and Dr. Jerome.

HALLER/ROKITA
Motion carried 10-0-0

XII. CONTINUING EDUCATION

- A. American Educational Institute**
- B. Bruce B. Wiland, D.D.S., MSD**
- C. Indiana Dental Prosthetics, Inc.**
- D. Kosciusko county Dental Society**
- E. Owen M. Forbes, D.D.S.**
- F. Tri-County Study Club**

Board action: A motion was made and seconded to approve the applications for Bruce B. Wiland DDS, MSD, Kosciusko County Dental Society, Owen M. Forbes, D.D.S., and Tri-County7 Study Club and to grant pending approval to American Educational Institute and Indiana Dental Prosthetics, Inc. based upon receipt of copies of their certificate of completions they will award.

NEWTON/CATEY
Motion carried 10-0-0

XIII. REPORTS

There were no reports before the Board.

XIV. ASSOCIATION REPORTS

- A. Indiana Dental Association**

There was no report before the Board.

B. Indiana Dental Hygiene Association

There was no report before the Board.

C. Indiana Dental Assistants Association

There was no report before the Board.


XV. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana State Board of Dentistry adjourned at 4:45 p.m.


Board action: A motion was made and seconded to adjourn the meeting of the Indiana State Board of Dentistry at 4:45 p.m.

HOLLAR/LaTURNER

Motion carried 10-0-0


Matthew Miller, D.D.S., President

10/1/12
Date


Steven Hollar, D.D.S., Secretary

10/1/10
Date